

# MAINE STATE LEGISLATURE

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**BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT**

Reported by: **MAJORITY**

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**STATE OF MAINE  
SENATE  
121ST LEGISLATURE  
SECOND SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to S.P. 356, L.D. 1025, Bill, "An Act To Ensure Uniform Code Compliance and Efficient Oversight of Construction in the State"

Amend the bill by striking out the title and substituting the following:

**'An Act To Adopt a Model Building Code'**

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

**'Sec. 1. 10 MRSA Part 14** is enacted to read:

**PART 14**

**BUILDING CODE**

**CHAPTER 1101**

**MAINE MODEL BUILDING CODE**

**§9701. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

2 1. Maine Model Building Code. Except as provided in  
3 section 9703, "Maine Model Building Code" includes:

4 A. The 2003 version of the International Residential Code;  
5 and

6 B. The 2003 version of the International Building Code.

7  
8 **§9702. Limitation on code adoption**

9  
10 A town, city or municipality may not adopt a residential  
11 building code or nonresidential building code other than the  
12 Maine Model Building Code after the effective date of this  
13 chapter. A town, city or municipality that adopts the Maine  
14 Model Building Code may adopt amendments to the code at any time,  
15 as long as such an amendment does not result in the adoption of  
16 all or a significant portion of any code other than the code  
17 adopted pursuant to this section. This section may not be  
18 construed to prevent a town, city or municipality from  
19 selectively adopting parts or portions of the Maine Model  
20 Building Code or from adopting a building rehabilitation code.

21  
22 **§9703. Laws in conflict with Maine Model Building Code**

23  
24 To the extent that provisions of the Maine Model Building  
25 Code conflict with the following provisions of law, those  
26 provisions of the Maine Model Building Code are not applicable  
27 and may not be enforced:

28  
29 1. Fire safety codes and standards. Fire safety codes and  
30 standards adopted pursuant to Title 25, sections 2452 and 2465;

31  
32 2. Electrical standards. Electrical standards adopted  
33 pursuant to Title 32, section 1153-A;

34  
35 3. Plumbing code. The plumbing code adopted pursuant to  
36 Title 32, section 3403-B;

37  
38 4. Oil and solid fuel burning equipment standards. Oil and  
39 solid fuel burning equipment standards adopted pursuant to Title  
40 32, section 2313;

41  
42 5. Propane and natural gas equipment standards. Propane  
43 and natural gas equipment standards adopted pursuant to Title 32,  
44 section 14805;

45  
46 6. Boiler and pressure vessel standards. Boiler and  
47 pressure vessel standards adopted pursuant to Title 32, section  
48 15104-A;

49  
50

2 7. Elevator standards. Elevator standards adopted pursuant  
to Title 32, section 15228; and

4 8. Energy efficiency standards. Energy efficiency  
standards adopted pursuant to section 1415-D.

6 **§9704. References within code**

8  
10 Codes and standards other than the International Residential  
Code and the International Building Code that are referenced  
within the Maine Model Building Code are not automatically  
12 adopted as part of the Maine Model Building Code.

14 **§9705. Municipal codes adopted prior to effective date of chapter**

16 A residential building code or nonresidential building code  
adopted by a town, city or municipality prior to the effective  
18 date of this chapter is not invalidated by this chapter, and  
nothing in this chapter may be construed to affect the validity  
20 of such a residential building code or nonresidential building  
code.

22 **§9706. Additional training not required**

24  
26 This chapter does not require the Executive Department,  
State Planning Office to provide any training or certification of  
code enforcement officers in any areas other than those  
28 enumerated in Title 30-A, section 4451, subsection 2-A.'

32 **SUMMARY**

34 This amendment replaces the bill. The amendment creates the  
36 Maine Model Building Code, which is composed of the International  
Residential Code and the International Building Code. Adoption  
38 of the Maine Model Building Code is voluntary on the part of  
towns, cities and municipalities, but a town, city or  
40 municipality may not elect to adopt a residential building code  
or nonresidential building code other than the Maine Model  
42 Building Code. The amendment also allows local amendments to the  
Maine Model Building Code, including adoption of portions of the  
code, and does not prohibit local adoption of building  
44 rehabilitation codes. The amendment specifies that, to the  
extent that portions of the Maine Model Building Code conflict  
46 with existing statewide codes and standards, those portions of  
the Maine Model Building Code are unapplicable. The amendment  
48 also specifies that no other codes or standards are automatically  
adopted by reference as part of the Maine Model Building Code.  
50 Additionally, the amendment clarifies that no new training of

COMMITTEE AMENDMENT **A** to S.P. 356, L.D. 1025

2 code enforcement officers by the Executive Department, State  
Planning Office is required.